

DECISION/DIRECTION NOTE

Title: Notices Published - 65 Empire Avenue – DEV2500026

Date Prepared: April 15, 2025

Report To: Regular Meeting of Council

Councillor and Role: Councillor Carl Ridgeley, Development

Ward: Ward 4

Decision/Direction Required:

A change of Non-Conforming Use application has been submitted by Core Insight Inc. for 65 Empire Avenue.

Discussion – Background and Current Status:

The proposed application is a change of Non-Conforming Use from an Office to a Clinic (chiropractic and wellness). The business will occupy a floor area of approximately 148.4m². Hours of operation are Monday to Friday, 9 a.m. – 6 p.m. and Saturday, 9 a.m. – 12 p.m. Parking relief has been requested. The proposed application site is zoned Residential Special 1 (RA1).

Two submissions were received: one in support and one with concerns pertaining to the street width, traffic, speed, and parking. Transportation Engineering reviewed the proposal and have no concerns related to the application. The change of Use from an Office to a Clinic will have no significant impact on vehicle speed or traffic volume.

As per Section 8.3 of the Development Regulations, seven (7) parking spaces are required for the Clinic Use, but only four (4) spaces are available. The applicant is requesting parking relief for three (3) spaces. They feel their scheduling system for patients will ensure a controlled and steady flow of visitors and there will only be 2-3 staff on-site at one time. There is no additional on-street parking, but parking is available on other nearby streets and local bus service is available. As per Section 8.12 of the Development Regulations, where an applicant wishes to provide a different number of parking spaces other than those required, Council shall require a Parking Report. Where in the opinion of Council that the requested change does not merit a Parking Report, Council may accept a staff report, which is presented as this Decision Note.

Key Considerations/Implications:

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Property owner and neighboring property owners.

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3. Is this a New Plan or Strategy: No
4. Alignment with Strategic Directions:

A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.
5. Alignment with Adopted Plans: **St. John's Municipal Plan and Development Regulations.**
6. Accessibility and Inclusion: Not applicable.
7. Legal or Policy Implications: **St. John's Development Regulations Section 7.5 "Non-Conforming Use," Section 8.3 "Parking Standards," Section 8.12 "Parking Report," and Section 10 "Residential Special 1 (RA1) Zone".**
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Public advertisement in accordance with **Section 4.8 Public Consultation of the St. John's Envision Development Regulations.** The City has sent written notices to property owners within a minimum 150-metre radius of the application site. The application has been advertised in The Telegram newspaper at least twice and is posted on the City's website. Written comments received by the Office of the City Clerk are included in the agenda for the regular meeting of Council.
10. Human Resource Implications: Not applicable.
11. Procurement Implications: Not applicable.
12. Information Technology Implications: Not applicable.
13. Other Implications: Not applicable.

Recommendation:

That Council approve the change of Non-Conforming Use for a Clinic Use at 65 Empire Avenue and parking relief for three (3) parking space.

Prepared by:

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Approved by:

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Report Approval Details

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Attachments:	
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This report and all of its attachments were approved and signed as outlined below:

Lindsay Lyghtle Brushett - Apr 15, 2025 - 11:15 AM

Jason Sinyard - Apr 15, 2025 - 1:26 PM